



October 28, 2013

Re: Response to Summary of meetings from M.Sievert re: 15 Madbury Rd & 8 Mathes Terrace

Dear Mike,

We think you've misunderstood the results of our meetings. Please don't mistake our agreeable nature as support for your project. We cannot support the intensity of development being proposed – it's simply too many beds and will negatively impact the existing uses on the small driveway.

The latest sketch differs little from what you showed the planning board in September. You have added a perimeter fence and moved the apartment entrance to the north, which were positive steps from our perspective, but fall short of addressing our concerns with the project. The key issues for us are safety during and after construction, protecting parking, access to our businesses, and being able to function in a reasonable business climate. Although we've participated in discussions in an open and friendly dialogue, our polite demeanor should not be construed as support or neutral positions for any of the project designs proposed to date.

You continue to present options as A or B. The options presented at our most recent meeting included 1st floor residential units or parallel parking spaces along Mathes Terrace (MT). As stated at the meeting, we do not support 1st floor residential nor parallel parking on MT. First floor residential units do not meet current code and present a challenge to maintaining a suitable professional business environment. Parallel parking would congest the common access while cars wait to get in and out of spaces and there is no sufficient place for vehicles to turn around. All MT properties currently provide pull-in parking essential to keeping the narrow right-of-way open and accessible. Ultimately the proposed designs fail because they start with the underlying premise of increasing density to 60-70 beds. Bringing that intensity to this private, dead-end driveway puts our businesses at risk of losing the adequate parking, deeded access, and professional business environment required for our continued viability. As a development group, you are aware of the challenges of attracting and retaining successful business entities in Durham.

Lastly, given the private nature of MT, we maintain our position that the construction management, oversight, and enforcement requirements be in-place **before** the project is approved and not be left to a pre-construction meeting. We've retained legal counsel for these negotiations, should you put forward a design that reflects solutions to the numerous Planning Board concerns.

Thank you,

Jason & Megan Lenk
Andy Rutter